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**AUG 22 2005**

**OFFICE OF PETITIONS**

In re Application of  
Gillis et al.  
Patent No. 6,831,802  
Application Number: 10/675,357  
Issue Date :December 14, 2004  
Filing Date: September 30, 2003  
Attorney Docket Number: HSJ9-2003-  
0117US3

**DECISION ON PETITION**

This is a decision on the petition for certificate of correction under 37 CFR 1.323 filed on March 14, 2005. The petition is properly treated under 37 CFR 3.81 (b) to correct the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The request is **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are not permitted. The reconsideration request should include a cover letter entitled "Renewed Petition". This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Effective June 25, 2004, when a request to issue a patent to an assignee is filed after payment of the issue fee, a certificate of correction must be submitted as there is no time to process these request before a patent is issued. See 69 Fed. Reg. 29865 (May 26, 2004).

Any request for issuance of an application in the name of the assignee submitted after

the date of the payment of the issue fee, and any request that a patent be corrected to state the name of assignee must :

(A) state the assignment was submitted for recordation as set forth in 37 CFR §3.11 before issuance of the patent;

(B) provide a request for a certificate of correction §1.323;

(C) provide the fee set forth in 37 CFR §1.20 (a) and

(D) provide the processing fee set forth in 37 CFR §1.17(l)

Petitioner has failed to submit (C), the \$100.00 certificate of correction fee pursuant to 37 CFR 1.20 (a). The petition does not authorize charging of the deposit account for the certificate of correction fee.

Further correspondence with respect to this matter may be addressed as follows:

**By mail:** Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

By facsimile: (571) 273-8300

By delivery service:  
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Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

Charles R. Gies

**Charlema R. Grant**  
**Petitions Attorney**  
**Office of Petitions**